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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL

THE SAUNDERS GROUP, an Oregon limited liability company,

Plaintiff,

v.

KRISTIN HILDEBRAND, an individual,
RYAN HILDEBRAND, an individual,
GABRIELLE HARRIS, an individual, and
HARRIS EXCAVATION, INC., an Oregon Corporation,

Defendants.

Case No.: 24CV41934

**AMENDED ORDER GRANTING
DEFENDANTS’ MOTION FOR
JUDGMENT ON THE PLEADINGS**

THIS MATTER came before the Court for hearing on January 12, 2026 on the Motion for Judgment on the Pleadings under ORCP 21 B filed by Defendants Ryan Hildebrand, Kristin Hildebrand, Gabrielle Harris, and Harris Excavation, Inc.

This Amended Order supersedes the prior order entered on February 5, 2026 and specifies that the Disputed Area at issue in the case includes property owned by the Hildebrand Defendants along with a parcel owned by Defendant Gabrielle Harris.

The Court, having considered the motion, the pleadings, the parties’ written submissions, and the arguments of counsel, and being fully advised,

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1 **IT IS HEREBY ORDERED that:**

- 2 1. The Motion for Judgment on the Pleadings is GRANTED for the reasons
3 stated on the record.
- 4 2. The Court finds that the Plaintiff does not hold the profit a prendre it
5 claims to have acquired under the 2024 quitclaim deed and that, without
6 that right, all three of Plaintiff's claims fail.
- 7 2. Plaintiff's First Claim for Relief for Declaratory Judgment is dismissed
8 with prejudice because Plaintiff has no rights in the property owned by the
9 Hildebrands and Gabrielle Harris referred to as the Disputed Area.
- 10 3. Plaintiff's Second Claim for Relief for Injunctive Relief is dismissed with
11 prejudice because Plaintiff has no rights in the property owned by the
12 Hildebrands and Gabrielle Harris referred to as the Disputed Area.
- 13 4. Plaintiff's Third Claim for Relief for Interference with Easement is
14 dismissed with prejudice because Plaintiff has no rights in the property
15 owned by the Hildebrands and Gabrielle Harris referred to as the Disputed
16 Area.
- 17 5. Judgment shall be entered in favor of Defendants and against Plaintiff on
18 the dismissed claims.

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20 2/13/2026 11:40:59 AM

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22 **Circuit Court Judge Cynthia L. Easterday**

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Submitted by:

HAGLUND KELLEY LLP

By: s/Christopher Griffith
Christopher Lundberg, OSB No. 941084
CLundberg@hk-law.com
Christopher T. Griffith, OSB No. 154664
cgriffith@hk-law.com
2177 SW Broadway
Portland, OR 97201
Phone: 503-225-0777

Attorneys for Defendants

CERTIFICATE OF READINESS – UTCR 5.100

I hereby certify that the foregoing **AMENDED ORDER GRANTING DEFENDANTS' MOTION FOR JUDGMENT ON THE PLEADINGS** is ready for judicial signature because:

- ☐ Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.
- ☒ Each party affected by this order or judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.
- ☐ I have served a copy of this order or judgment on each party entitled to service and:
- a. ☐ No objection has been served on me.
- b. ☐ I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
- c. ☐ After conferring about objections – (Opposing party) – agreed to independently file any remaining objection.
- ☐ The relief sought is against an opposing party who has been found in default.
- ☐ An order of default is being requested with this proposed order.
- ☐ Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise.
- ☐ This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victims' Assistance Section as required by subsection (5) of this rule.
- ☐ Other:

Dated this 12th day of February 2026.

By: s/ Christopher Griffith

Christopher Griffith OSB No. 154664

cgriffith@hk-law.com

Attorney for Defendants

1 CERTIFICATE OF SERVICE

2 I hereby certify that on the 12th day of February 2026, I served the foregoing
3 **AMENDED ORDER GRANTING DEFENDANTS' MOTION FOR JUDGMENT**
4 **ON THE PLEADINGS** on the following:

4 Craig G. Russillo
5 Mario E. Delegato
6 Amanda Kohls
7 Schwabe, Williamson & Wyatt, P.C.
8 1211 SW 5th Ave., Suite 1900
9 Portland, OR 97204
10
11 Attorneys for Plaintiff

12 by the following indicated method(s):

- 13 ☒ by **mailing** a true and correct copy thereof in a sealed first-class postage prepaid
14 envelope, addressed to the foregoing attorney at the last known office address of
15 the attorney, and deposited with the United States Post Office at Portland, Oregon
16 on the date set forth above.
- 17 ☒ by **emailing** a courtesy copy to the attorney listed above at the foregoing
18 attorney's last known email addresses on the date set forth above.
- 19 ☐ by sending a full, true and correct copy thereof via **overnight mail** in a sealed,
20 prepaid envelope, addressed to the attorney as shown above on the date set forth
21 above.
- 22 ☒ by transmitting full, true and correct copies thereof to the attorneys through the
23 court's e-filing system [UTCR 21.100] on the date set forth above.

By: s/ Christopher Griffith
Christopher T. Griffith, OSB No. 154664
Attorneys for Defendants